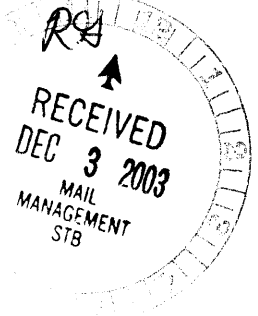




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

AB-863X
E1-374



REPLY TO THE ATTENTION OF:

B-19J

November 24, 2003

Section of Environmental Analysis
Surface Transportation Board
1925 K Street, NW
Washington, D.C. 20423

Re: Docket No. AB-863, *City of Venice, Illinois, Railroad Abandonment*

Dear Sir or Madam:

The U.S. Environmental Protection Agency (EPA) has reviewed an Environmental Report (ER) provided by the City of Venice, Illinois. This ER describes the proposed action and expected environmental and/or historic effects of the abandonment of 2.00 miles of rail line commencing in St. Louis, Missouri, and terminating in Venice, Illinois. Our comments in this letter are provided pursuant to NEPA, the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

Pursuant to a review of the ER, we feel the following issues should be addressed in the Surface Transportation Board's (STB) independent environmental analysis of this proceeding.

- The ER indicates the City of Venice (City) is of the opinion that any endangered species or critical habitat which might be present will not be adversely affected by salvage operations. We encourage confirmation of this opinion with the U.S. Fish and Wildlife Service (FWS) as we feel the ER is incomplete without FWS' opinion;
- Similarly, the City's Historic Report indicates two structures greater than 50 years old do not meet the criteria for listing in the National Register of Historic Places. The attached letters indicate the Illinois Historic Preservation Agency's approval of the McKinley Bridge rehabilitation. However, the letters do not address the second structure greater than 50 years old, the Venice High Line elevated structure (timber open deck). We encourage confirmation of this opinion by the Illinois State Historic Preservation Office as we feel the ER is incomplete without the SHPO's opinion regarding this second structure;
- Whether the City of Venice, the Illinois Department of Transportation or Madison County Transit engages in salvage operations once the exemption is granted, applicable environmental regulations for removal and ultimate disposal of rails and roadbed material should be listed;

- The final disposition of crossties preserved with creosote should take place per the July 3, 1984 Rebuttable Presumption Against Registration for three major wood preservatives under the Federal Insecticide, Fungicide, and Rodenticide Act. The Rebuttable Presumption states that wood treated with creosote should be buried in a non-hazardous waste landfill unless otherwise required by the State of Illinois;
- Procedures for storing and fueling of removal equipment in upland areas, away from water bodies, floodplains, wetlands or other sensitive habitat should be listed;
- Procedures for the prevention and/or control of spills (i.e., fuels, lubricants or other pollutants) from removal equipment should be listed; and
- Soil erosion and stormwater runoff mitigation practices to be utilized during salvage activities should be listed. In particular, consideration of whether all or portions of the right-of-way will be revegetated with native flora should be addressed. Long-term benefits of this mitigation activity go beyond stormwater and soil protection to include development of habitat for wildlife and improved aesthetics.

The attached letter from Charles H. Montange, attorney for the City of Venice, indicates the McKinley Bridge renovation will not involve any in-stream work as originally stated in the Environmental Report. Receipt of this letter serves as assurance that follow-up with other agencies who might be concerned with in-stream work is no longer required.

We thank you for the opportunity to review and comment on this project. Inclusion of the above information in the EA would satisfy routine questions from the EPA and facilitate a quicker review and approval process.

Please forward future correspondence regarding these items to me at the above address. Should you have any questions, please contact me or Kathleen Kowal of my office at (312) 353-5206 or via email at kowal.kathleen@epa.gov.

Sincerely,



Kenneth A. Westlake, Chief
Environmental Planning and Evaluation Branch

cc: Charles H. Montange, Attorney for the City of Venice